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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,318	11/02/2001	John Joseph King	LF101US	8272
7590		08/12/2004	EXAMINER	
John J. King		NGUYEN, DUC M		
1481 Cantigny Way		ART UNIT		
Wheaton, IL 60187		PAPER NUMBER		

2685

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/004,318

**Applicant(s)**

KING ET AL.

**Examiner**

Duc M. Nguyen

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

This action is in response to applicant's response filed on 1/30/04. Claims 1-20 are now pending in the present application.

#### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable by **Govindarajan** (US 6,208,659) in view of **Martin Jr. et al** (US Pat. Number 6,509,913).

Regarding claim 1, **Govindarajan** discloses a method for allowing a owner associated with devices such as cellular phone, fax, computer to access a web card page located at the website of a service provider from a computer to register, alter and customize his/her web card page (see **Figs. 4-5** and **col. 10, line 48 - col. 11, line 39**), wherein the web card page displays a plurality of pictures (icons) and contents (see Fig. 20). Here, since **Govindarajan** discloses a cellular system and that the method may be implemented in wireline as well as wireless networks (see **col. 20, lines 61-67**), and that the owner has to access and modify the web card frequently for various reasons (see **col. 12, lines 58-67** and **col. 19, lines 53-58**), it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify **Govindarajan** for allowing the owner to access the website from a cellular phone for viewing or changing his/her web card page as well so that the owner can access the website at anytime and

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wherever he/she goes. Since allowing a wireless device to access the website of a service provider is well known in the art as disclosed by **Martin** (see **col. 4, lines 25-60**), it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the above teaching of **Martin** to **Govindarajan** for allowing the owner to access the website from a cellular phone for viewing or changing his/her web card page. By doing so, it is clear that when accessing the website for viewing the web card page using a cellular phone, **Govindarajan** as modified would disclose

- receiving a plurality of picture files (icons) at the cellular phone;
- storing a plurality of picture files at the cellular phone as claimed;
- displaying a plurality of picture files as claimed; and

when accessing the website for changing or modifying the web card page using a computer workstation, **Govindarajan** as modified would disclose

- enabling a user to access the plurality of picture files remote from the cellular phone on an entry program by way of a website associated with a service provider (see **col. 10, line 48 - col. 11, line 39**), wherein it is clear that the program for display the web card would read on the entry program as claimed with the broadest reasonable interpretation;

- changing the display of the plurality of picture files as claimed (see **col. 10, line 48 - col. 11, line 39**), whereas it is clear that when accessing the website for viewing the web card page again using a cellular phone after the above step of changing, the display of the plurality of picture files are changed.

Therefore, by simply allowing the owner of a web card page to access the website from a cellular phone in addition with a computer for viewing or changing his/her web card page, the claimed limitations are made obvious by **Martin** and **Govindarajan**.

Regarding claims **11, 16**, the claims are interpreted and rejected for the same reason as set forth in claim **1** above.

Regarding claims **2-5, 7, 12**, they are interpreted rejected for the same reason as set forth in claim **1** above, wherein the PSTN network connection would read on the wired protocol, the cellular network would read on the wireless protocol, a computer workstation would read on a remote device as claimed (see Fig. 5 in **Govindarajan**).

Regarding claims **6, 13, 18**, they are rejected for the same reason as set forth in claims **2, 11, 16** above. In addition, since sending/receiving a picture or file as an attachment to an e-mail message is well known, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the above teachings of **Martin** and **Govindarajan** for downloading picture files as an attachment to an email message as well, so that the picture files could be effectively saved into a memory at user's choice.

Regarding claims **8, 14, 19**, they are rejected for the same reason as set forth in claims **1, 11, 16** above. In addition, it is clear that **Govindarajan** as modified would disclose displaying content information with picture file (see **Govindarajan, col. 11, lines 26-39**).

Regarding claims **9**, they are rejected for the same reason as set forth in claim **1** above. In addition, it is clear that **Govindarajan** as modified would disclose a user interface and program for enabling display of a predetermined picture file (see **Govindarajan, col. 11, lines 20-39 and col. 14, lines 9-16**).

Regarding claims **10, 15, 17, 20**, the claims are interpreted and rejected for the same reason as set forth in claims **2, 11, 16** above.

3. Claims **1-6, 8-20** are rejected under 35 U.S.C. 103(a) as being unpatentable by **Rossmann** (US Pat. Number **5,809,415**) in view of **Wells** (US Pat. Number **5,870,683**) and **Govindarajan** (US **6,208,659**).

Regarding claim **1**, **Rossmann** discloses a method for allowing a communication device such as cellular phones being able to access and retrieve information or application programs stored at a remote computer server of a service provider (see Figs. 1, 5 and col. 3, line 25 - col. 6, line 67). Although **Rossmann** fails to disclose the retrieving of a program that displays a plurality of picture files on the cellular phone, it is noted that a program that displays a plurality of picture files (i.e, animation sequences) such as a screen saver program is well known in the art as disclosed by **Wells** (see graphical information sequences GIS in Abstract, Figs. 3A - 4C and col. 3, line 54 - col. 10, line 55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the above teaching of **Wells** to **Rossmann** for providing a screen saver program for displaying a plurality of picture files (graphical information sequences GIS) as claimed for user's entertainment. Further, since accessing a remote server from a computer for reconfiguring an application program is well known in the art as disclosed by **Govindarajan** (see **Figs. 4-5** and **col. 10, line 48 - col. 11, line 39**), and since **Rossmann** discloses application programs are stored at remote computer servers which are accessible from several telecommunication networks such as WAN, Internet (see Figs. 1, 5), it would have been obvious to one of ordinary skill in the art at the time the invention was

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made to further incorporate the above teaching of **Govindarajan** to **Wells** and **Rossmann** for remotely accessing the screen saver program from a computer to replace or select new GIS for the screen saver program as well, for utilizing advantages provided by the computer keyboards when changing images of the GIS of the screen saver program. Therefore, by remotely accessing the screen saver program from a computer to replace (or updating) the GIS of the screen saver program, the plurality of picture files (or graphical information sequences GIS) would be changed based upon input from a user entered remote from the cellular phone by way of a telecommunication network as claimed.

Regarding claims **11, 16**, the claims are rejected for the same reason as set forth in claim **1** above. In addition, since **Rossmann** disclose the computer server is located at a website of a service provider (see Fig. 5), **Rossmann** as modified would disclose the plurality of picture files (or graphical information sequences GIS) would be changed based upon input from a user entered remote from the cellular phone by way of a website of a service provider as claimed.

Regarding claims **2-5, 12**, they are rejected for the same reason as set forth in claim **1** above. In addition, since sending/receiving email messages including digital images for cellular phones are known in the art (Official Notice), it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modifying **Govindarajan, Wells** and **Rossmann** for downloading or receiving a picture file from email as claimed, for utilizing advantages provided by e-mail protocol format, whereas it is clear that such email message would employ a wired protocol of the computer LAN and a wireless protocol of the cellular network.

Regarding claims 6, 13, 18, they are rejected for the same reason as set forth in claims 2, 11, 16 above. In addition, since sending/receiving a picture or file as an attachment to an e-mail message is well known, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the above teachings of **Govindarajan, Wells** and **Rossmann** for downloading picture files as an attachment to an email message as well, so that the picture files could be effectively saved into a memory at user's choice.

Regarding claims 8, 14, 19, they are rejected for the same reason as set forth in claims 1, 11, 16 above. In addition, it is clear that **Rossmann** as modified would disclose displaying content information with picture file (see **Wells**, col. 3, line 54 - col. 4, line 10).

Regarding claims 9, they are rejected for the same reason as set forth in claim 1 above. In addition, it is clear that **Rossmann** as modified would disclose a user interface and program for enabling display of a predetermined picture file (see **Wells**, Fig. 1, ref. 22, col. 3, line 25 - col. 4, line 10, col. 10, lines 3-25).

Regarding claims 10, 15, 17, 20, the claims are interpreted and rejected for the same reason as set forth in claims 2, 11, 16 above.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.



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- **Martin, Jr. et al** (US 6,363,419), Method and apparatus for generating idle loop screen displays on mobile wireless computing devices.
- **Miller et al** (US 6,587,867), Internet-based subscriber profile management of a communication system.

**6. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9314 (for formal communications intended for entry)

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington VA, Sixth Floor (Receptionist).

Any inquiry concerning this communication or communications from the examiner  
should be directed to Duc M. Nguyen whose telephone number is (703) 306-4531, Monday-  
Thursday (9:00 AM - 5:00 PM).

Or to Edward Urban (Supervisor) whose telephone number is (703) 305-4385.

Any inquiry of a general nature or relating to the status of this application should be  
directed to the Group receptionist whose telephone number is (703) 305-4700.

Duc M. Nguyen

Aug 7, 2004

